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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,095	11/17/2003	Olli Oksanen	042933/269772	3257
826 7590 05/08/2008 ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000				
EXAMINER				
TAN, ALVIN H				
ART UNIT		PAPER NUMBER		
2173				
MAIL DATE		DELIVERY MODE		
05/08/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/715,095

Applicant(s)

OKSANEN ET AL.

Examiner

ALVIN H. TAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-25,27 and 29-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-25,27 and 29-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/7/08, 4/28/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Remarks

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) for the instant application on 2/21/08. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith.

Claims 1, 3-5, 7-25, 27, and 29-41 have been examined and rejected. This Office action is responsive to the amendment filed on 2/21/08, which has been entered in the above identified application.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Reference character 322 mentioned on *[page 15, line 6]* of Applicant's specification.

3. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being

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amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-5, 7-15, 17-25, 27, 29, 32-34, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothmuller et al (Pub. No. US 2003/0033296 A1), Wynn et al (U.S. Patent No. 6,515,687 B1), and Becker et al (U.S. Patent No. 6,337,694 B1).

Claims 1, 3-5, 7-15, 17-21 (Computer Program Product)

Claim 22, 23, 32-34 (Apparatus)

Claim 24, 25, 27, 29, 37-39 (Method)

5-1. Regarding claims 1, 22, and 24, Rothmuller teaches the claim comprising first instructions adapted to generate a media view that provides access to digital media

files, by disclosing a method and apparatus for storing, cataloguing, managing, organizing, finding, and displaying objects such as digital images [*paragraph 4*].

Rothmuller teaches second instructions adapted to generate a media handle that provides the ability to browse media files in the media view generated by the computer program product by using the media handle, the second instructions further adapted to provide the ability to browse for media files matching a chosen browse parameter, by disclosing a slider that is movable to different dates to display pictures from those dates and using the timeline with tags to specify search criteria [*paragraphs 28-31, figure 3*].

Rothmuller does not expressly teach browsing the media files according to a manually-controlled speed of the browsing determined by the relative deflected position of the media handle from a centerline position for the media handle. Wynn teaches a GUI control that may be used for scrolling left/right [*column 4, lines 25-32*]. Each toggle of the GUI control may cause a step increment or decrement. The response to the movement of the GUI control related to the change in a controlled parameter may be a non-linear relationship. This allows for faster and slower panning based upon the amount of displacement of the GUI control from the normal, center position [*column 4, lines 47-57*]. Thus, this GUI control with the variable rate of change feature enhances the efficiency with which a user can operate the control [*column 6, lines 42-44*]. since Rothmuller teaches a control for browsing media files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the GUI control with the variable rate of change feature, as taught by Wynn. This would enhance the efficiency with which a user can operate the control.

Rothmuller and Wynn do not expressly teach the second instructions further adapted to automatically decrease the manually-controlled speed of the browsing by computer program instruction control when a media file having the chosen browse parameter approaches or is in the media view. Becker teaches a method and system for variable speed scrolling of a viewable object within a data processing system [*column 1, lines 8-13*]. As viewable objects are scrolled on a display, the scroll speed is dynamically varied in response to the content of the viewed portion of the viewable object. The scroll speed can vary in response to the type of objects being displayed within the viewable object, such as described in [*column 2, lines 57-67; column 5, lines 44-56*]. This makes it easier for a user to locate a desired section of the viewable object [*column 2, lines 12-21; 32-37*]. Since Rothmuller and Wynn teach scrolling through content, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include variable speed scrolling of a viewable object, as taught by Becker. This would make it easier for a user to locate a desired section of the viewable object.

As per claim 22, Rothmuller, Wynn, and Becker teach an input device in communication with the processing unit and adapted to control the deflection of the media handle, thereby manually controlling the speed of the browsing and defining the manually- controlled speed of the browsing, by disclosing using a mouse to control the GUI control [*Wynn, column 4, lines 10-22*].

Rothmuller, Wynn, and Becker teach a display in communication with the processing unit that presents a combined view of the media view and the media handle, by disclosing the display in *[Rothmuller, figure 1]* and *[Rothmuller, paragraph 41]*.

5-2. Regarding claim 3, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the browse parameter is chosen from any combination of items of metadata associated with the media files, by disclosing searching for objects based on one or more tagged search criteria *[Rothmuller, paragraph 6]*.

5-3. Regarding claim 4, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the browse parameter is chosen from one or more items of metadata associated with periods of time, by disclosing that search criteria may include data and time *[Rothmuller, paragraph 6]*.

5-4. Regarding claims 5 and 27, Rothmuller, Wynn, and Becker teach the claim with respect to claim 3, wherein the item of metadata is chosen from the group consisting of time, media file type, media file size, media file bookmark, media file annotation, media file representation, media file title, media file name, topic, content, location, situation, preferences, contact information, names of people, names of electronic devices, technical information of electronic devices, items described in the media file and tables of content information, by disclosing a variety of search criteria may be used *[Rothmuller, paragraph 6]*.

5-5. Regarding claim 7, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the second instructions further includes instructions for decreasing the speed of the browsing in relation to the distance of the approaching media file and extent of a deviation of the media handle from the centerline position, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*] and based upon the amount of displacement of the GUI control from the normal, center position [*Wynn, column 4, lines 47-57*].

5-6. Regarding claims 8, 32, and 37, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the second instructions further include instructions for increasing the speed of the browsing when a media filed having the chosen browse parameter bypasses the centerline position of a view generated by the computer program product, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*].

5-7. Regarding claim 9, Rothmuller, Wynn, and Becker teach the claim with respect to claim 8, wherein the second instructions further include instructions for increasing the speed of the browsing in relation to the distance of the bypassing media file and extent of a deviation of the media handle from the centerline position, by disclosing

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dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*] and based upon the amount of displacement of the GUI control from the normal, center position [*Wynn, column 4, lines 47-57*].

5-8. Regarding claims 10, 33, and 38, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the first instructions associate the digital media files with a period of time based upon information associated with the digital media file, by disclosing a timeline [*Rothmuller, paragraph 28*].

5-9. Regarding claim 11, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, further comprising third instructions for generating a calendar view that represents time in calendar format and associates events with respective periods of time, by disclosing a calendar view [*paragraph 9*].

5-10. Regarding claim 12, Rothmuller, Wynn, and Becker teach the claim with respect to claim 11, wherein the first instructions associates digital media files with a past period of time and wherein the third instructions associates events with respective future periods of time, by disclosing that metadata include past as well as recurring events [*paragraph 25*]. Thus, the media view and calendar view may represent a past and future period of time.

5-11. Regarding claim 13, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the second instructions further include instructions for browsing the media items by stepping directly to the period of time including the media file having the chosen browse parameter, by disclosing displaying the best match of a search in an image area [*Rothmuller, paragraph 30*].

5-12. Regarding claim 14, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the second instructions further include instructions to browse a media view, a calendar view, and a time bar, by disclosing [*figures 1,4*].

5-13. Regarding claim 15, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the second instructions further provide for a browsing step function that is proportional to a movement of the media handle along a time bar, by disclosing that each toggle of the GUI control may cause a step increment or decrement [*Wynn, column 4, lines 47-51*].

5-14. Regarding claims 17-20, 25, 34, and 39, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1, wherein the second instructions further provide for a speed of browsing that is proportional to the distance that the media handle is deviated from the centerline position, that accelerates when the media handle is deviated a certain distance from the centerline position on the view of the computer program product, increasing the speed of browsing as the distance from the centerline position is

increased, and decreasing the speed of browsing as the distance from the centerline position is decreased, by disclosing varying browse speed based upon the amount of displacement of the GUI control from the normal, center position [*Wynn, column 4, lines 47-57*].

5-15. Regarding claim 21, Rothmuller, Wynn, and Becker teach the claim with respect to claim 18, wherein the second instructions further include instructions for increasing the speed of the browsing when the media file having the chosen browse parameter bypasses the viewable area of the display, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*].

5-16. Regarding claim 23, Rothmuller, Wynn, and Becker teach the claim with respect to claim 22, wherein the computer-readable program instructions further comprising a third instructions adapted to generate a calendar view that represents time in calendar format, associates events with respective periods of time and is presented by the display in combination with the media view and media handle, by disclosing a calendar view [*paragraph 9*].

5-17. Regarding claim 29, Rothmuller, Wynn, and Becker teach the claim with respect to claim 24, further comprising automatically increasing the manually-controlled browse speed of the media handle when desired media files are not within the media view, by

disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*].

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rothmuller et al (Pub. No. US 2003/033296 A1), Wynn et al (U.S. Patent No. 6,515,687 B1), Becker et al (U.S. Patent No. 6,337,694 B1), and Rzepkowski et al (U.S. Patent No. 6,512,530 B1).

Claim 16

6-1. Regarding claim 16, Rothmuller, Wynn, and Becker teach the claim with respect to claim 1. Rothmuller, Wynn, and Becker do not expressly teach wherein the second instructions further provide for generating a center mark on the media handle that indicates the period of time that is browsed to the centerline of the view of the computer program product. Rzepkowski teaches a numerical portion that includes a value display portion and a pair of buttons that are used to increase or decrease the numerical value in the value display portion [*column 2, lines 15-20*]. This value corresponds to the value currently indicated by a slider pointer relative to the extreme values of the ranges. Displaying the current value allows users to easily see a currently selected value between ranges of information. Since Rothmuller, Wynn, and Becker teach using a GUI control to scroll between ranges of dates as well as a portion on the control for displaying a label, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include displaying the current date corresponding to the

location within the range of dates, as taught by Rzepkowski. This would allow users to easily see a currently selected value between ranges of information.

7. Claims 30, 31, 35, 36, 40, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothmuller et al (Pub. No. US 2003/033296 A1), Wynn et al (U.S. Patent No. 6,515,687 B1), Becker et al (U.S. Patent No. 6,337,694 B1), and Ullmann et al (U.S. Patent No. 6,677,965 B1).

Claims 30, 31 (Computer Program Product)

Claims 35, 36 (Apparatus)

Claims 40, 41 (Method)

7-1. Regarding claims 30, 35, and 40, Rothmuller, Wynn, and Becker teach the claim with respect to claims 1, 22, and 24 respectively. Rothmuller, Wynn, and Becker do not expressly teach the claim wherein the second instructions further provide for stopping the browsing when the media handle is released. Ullmann teaches a GUI control similar to that of Wynn such that the speed of browsing may be varied based on a displacement of a band from a center position [*column 4, lines 48-63*]. Deselection of the control causes operation of the GUI control to cease [*column 4, lines 63-65*]. As shown in [*figure 4e*], this may be used with the joystick of Wynn [*column 6, lines 3-6*]. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to stop the browsing when the GUI control is released, as taught by

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Ullmann. This would enhance the efficiency and intuitiveness of the joystick [Ullmann, column 4, lines 15-22].

7-2. Regarding claims 31, 35, and 41, Rothmuller, Wynn, Becker, and Ullmann, teach the claims with respect to claims 30, 35, and 40 respectively, wherein the second instructions further provide for automatically returning the media handle to a rest position corresponding to the centerline position when the media handle is released, by disclosing that since deselection of the control causes operation of the GUI control to cease [Ullmann, column 4, lines 63-65], the GUI control of Wynn would have to return to the center position.

Response to Arguments

8. The Examiner acknowledges the Applicant's amendments to claims 1, 7-9, 12-25, 27, and 29 and the addition of claims 30-41. Applicant's arguments with respect to claims 1, 3-5, 7-25, 27, and 29-41 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record on attached form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R § 111(c) to consider these references fully when responding to this action. The documents cited therein teach similar systems for speed browsing of media items.

10. It should be noted that the examiner originally assigned to this case has been changed.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN H. TAN whose telephone number is (571)272-8595. The examiner can normally be reached on Mon-Fri 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHT
Assistant Examiner
Art Unit 2173

/Tadesse Hailu/
Primary Examiner, Art Unit 2173